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In re Application of
Tim Keith et al.
Application No. 10/743,704
Filed: December 22, 2003
Atty Docket No. 2976-4037-US1

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ON PETITION

This is in response to the petition under 37 CFR 1.47(a) filed April 13, 2005.

The petition is **DISMISSED** as involving moot issues.

A Notice to File Missing Parts was mailed February 14, 2005 as the oath or declaration filed December 22, 2003 did not include a signature for joint inventor Sunil Pandit. In accordance with 37 CFR 1.63(d), petitioner has submitted a copy of the executed oath or declaration filed in Application No. 09/627,465, filed on April 23, 2001, of which the instant application is a division. Furthermore, a copy of the decision, mailed June 14, 2001, granting a petition to accord § 1.47(a) status to the prior application has been placed in the file of the present application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status.

As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is dismissed as involving moot issues. As no petition fee is necessary, no petition fee has been charged. However, the surcharge for late filing of an oath or declaration has been properly remitted and properly applied.

As provided in Rule 1.47(c), since notice was provided after the grant of Rule 1.47(a) status in the prior application, the Office is dispensing with the notice provision in this divisional application.

After this decision is mailed, the matter will be referred to the Office of Initial Patent Examination for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
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Office of Petitions